

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSE ROSARIO : CIVIL ACTION
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 :
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v. :
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 :
SETH WILLIAMS, et al. : NO. 13-1945

ORDER

AND NOW, this 29th day of January, 2014, upon consideration of the Motion to Dismiss of R. Seth Williams, the District Attorney of Philadelphia, Former District Attorney Lynne Abraham, ADA John Doyle, and ADA Edward McCann (the "DA Defendants' motion") (Docket No. 6), Defendants Warden John P. Delaney and Warden Joyce Adams' Motion to Dismiss Complaint Pursuant to Fed. Civ. P. 12(b)(6) (the "Warden Defendants' motion") (Docket No. 11), and the Rule 16 telephone conference held on-the-record before the Court with the plaintiff and defendants' counsel on January 9, 2014, IT IS HEREBY ORDERED, for the reasons stated in a memorandum of law bearing today's date, that:

1. The DA Defendants' motion is GRANTED, and all claims against R. Seth Williams, Lynne Abraham, John Doyle, and Edward McCann are dismissed with prejudice.

2. The Warden Defendants' motion is GRANTED, and Rosario's § 1983 claims against John P. Delaney and Joyce Adams are dismissed with prejudice.¹

IT IS FURTHER ORDERED that the Clerk of Court will attempt to obtain counsel for the plaintiff from the volunteer attorney panel. This case shall be placed in suspense while counsel is sought.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.

¹ The Court notes that because the Warden Defendants have not moved to have any of Rosario's state law claims dismissed under Rule 12(b)(6), those claims will therefore proceed.